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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,640	05/08/2001	Neil Latarche	VRTY-001/00US	3606
23419	7590	07/09/2004	EXAMINER	
COOLEY GODWARD, LLP 3000 EL CAMINO REAL 5 PALO ALTO SQUARE PALO ALTO, CA 94306			THAI, HANH B	
			ART UNIT	PAPER NUMBER
			2171	

DATE MAILED: 07/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/851,640

Applicant(s)

LATARCHE ET AL.

Examiner

Hanh B Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment 5/3/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____



DETAILED ACTION

Response to Arguments

Applicant's arguments filed May 6, 2004 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

According to the Specification page 4, lines 4-5 “the parametric index is an arrangement of data form the inverted index that is organized according to qualitative parameters (i.e., categorical attributes”. But, there is no support for the limitation “parametric index using categorical attributes to reference a subset of elements”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Furegati et al. (U. S. Patent no. 5,966,704).

Regarding claims 1 and 14, Furegati discloses a method of parametric group processing, comprising:

- forming a parametric index (parametric index 25, Fig.4A, Furegati) from an indexed database said parametric index using categorical attributes to reference a subset of elements where said categorical attributes are qualitative parameters (see col. 7, lines 26-33, Furegati). “Data container” (40, Fig.4A) corresponds to “index database”;
- specifying a first parametric group and a second parametric group corresponding to elements in said parametric index (see col.7, lines 28-33, Furegati). “Contextual index elements” and “signal index elements” correspond to a “first parametric group” and “second parametric group” respectively;
- merging said first parametric group and the second parametric group to produce a merged parametric group (see Fig.4A-B; col.7, line 26 to col. 8, line 50, Furegati). “Contextual index elements”, “signal index elements” and “Storage segment” (40, Fig.4A) correspond to a “first parametric group”, “second parametric group” and “merged parametric group”; and
- extracting a parametric result from said merged parametric group, wherein the parametric result specifies a set of documents (see col. 10, lines 20-24,

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Furegati). The “hit list” is the result that is extracting from searching and retrieving the information units of documents (see col. 3, line 65 to col. 4, lines 15, Furegati).

Regarding claims 2 and 15, Furegati further discloses the step of listing a parametric group (see col. 10, lines 20-24, Furegati).

Regarding claims 3 and 16, Furegati further discloses the step of deriving a parametric group from text search results (see col. 6, lines 43-46).

Regarding claims 4 and 17, Furegati further discloses the step of mapping the text search results into the parametric index to identify a parametric group (see col. 7, lines 26-33, Furegati).

Regarding claim 5, Furegati further discloses the step of assigning every element in a bucket array to distinct bucket set parents to produce a structured bucket array (see col. 7, lines 49-62, Furegati). The rows and columns of table (47, Fig. 4B, Furegati) made up an array of elements in an information unit.

Regarding claim 6, Furegati further discloses the step of taking the cross of all elements in said structured bucket array to produce a parametric group (see col. 7, lines 56-62, Furegati).

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Regarding claims 7, 11 and 18, Furegati further discloses the step taking the union of said first parametric group and said second parametric group to produce said merged parametric group (see col. 7, line 63 to col. 8, line 5, Furegati).

Regarding claims 8, 12 and 19, Furegati further discloses the step of collecting document identifications for said merged parametric group (see col. 7, lines 52-62 and col. 10, lines 20-24, Furegati). The “hit list” is the result that is extracting from storing, searching and retrieving the information units of documents (see col. 3, line 65 to col. 4, lines 15, Furegati). The “index reference” corresponds to “document identification”.

Regarding claims 9, 13 and 20, Furegati further discloses the step of forming the union of said document identifications to produce said parametric result (see col. 7, lines 1-15, Furegati).

Regarding claim 10, Furegati discloses a method of parametric group processing, comprising:

- performing a text search to produce text search results (see col.3, line 65 to col.4, line 4 and lines 8-15, Furegati);
- mapping said text search results into a parametric index to identify a first parametric group, said parametric index using categorical attributes to reference a subset of elements where said categorical attributes are qualitative parameters (see col.7, lines 26-33 and Fig.4B, Furegati);”contextual” and “contextual index

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- subsection” corresponds to “text” and “parametric index”, and the “contextual” search results that is mapping into “contextual index subsection”
- merging said first parametric group with a second parametric group to produce a merged parametric group (see col.7, lines 33-37 and col. 7, line 63 to col. 8, line 8, Furegati). “Contextual index elements”, “signal index elements” and “Storage segment” (40, Fig.4A) correspond to a “first parametric group”, “second parametric group” and “merged parametric group”; and
 - extracting a parametric result from said merged parametric group, wherein said
 - parametric result specifies a set of documents (see col. 10, lines 20-24, Furegati). The “hit list” is the result that is extracting from searching and retrieving the information units of documents (see col. 3, line 65 to col. 4, lines 15, Furegati).

Regarding claims 21 and 22, performing a logical operation that is independent of a query language (see col. 6, lines 40-60, Furegati). Furegati teaches the plurality of “different classes”. Therefore, each class has to be performed independently.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B Thai whose telephone number is 703-305-4883. The examiner can normally be reached on 8 AM - 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Thai 
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July 7, 2004



UYEN LE
PRIMARY EXAMINER